

Friday, July 8, 1988

Senate

Chamber Action

Routine Proceedings, pages 17310-17394

Measures Introduced: Four bills were introduced, as follows: S. 2621-2624.

Page 17365

Measures Reported: Reports were made as follows:

S. 1418, to direct the Secretary of the department in which the United States Coast Guard is operating to cause the vessel *MV Polar Ice* to be entitled to engage in the coastwise trade. (S. Rept. No. 100-419)

S. 2300, issue a fisheries license for the operation of the vessel *MV Ocean Cyclone*. (S. Rept. No. 100-420)

S. 2331, to issue a fisheries license for the operation of the vessel *MV Ocean Tempest*. (S. Rept. No. 100-421)

S. 2417, to authorize a certificate of documentation for certain vessels. (S. Rept. No. 100-422)

S. 2493, to authorize a certificate of documentation for the vessel *Compass Rose III*. (S. Rept. No. 100-423)

S. 2215, to amend the Office of Federal Procurement Policy Act to authorize appropriations for an additional four years, and for other purposes, with amendments. (S. Rept. No. 100-424)

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Measures Passed:

Helsinki Human Rights Day: The Committee on the Judiciary was discharged from the further consideration of S.J. Res. 338, to designate August 1, 1988, as "Helsinki Human Rights Day," and the joint resolution was then passed.

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District of Columbia Appropriations, 1989: Senate continued consideration of H.R. 4776, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1989, taking action on additional amendments proposed thereto, as follows:

Pages 17320, 17351

Adopted:

(1) Warner modified Amendment No. 2536, to provide that, if by May 1, 1989, the District of Columbia government has not adopted and implemented no later than September 30, 1989, a preference system that does not preclude the hiring of noncity residents, none of the Federal funds provided or otherwise made available by the Act may be used to

pay the salary or expenses of any officer, employee, or agent who is engaged in implementing, administering, or enforcing a District of Columbia residency requirement with respect to employees or the Government of the District of Columbia.

Page 17322

(2) Harkin Amendment No. 2537, to provide increased funds for the Commission on the Arts and Humanities.

Page 17324

(3) Harkin Amendment No. 2538, to provide that such sums as may be necessary for fiscal year 1989 pay raises for programs funded by the Act shall be absorbed within the levels provided in the Act.

Page 17324

(4) Nickles (for Helms) Amendment No. 2539, to provide that none of the Federal funds provided by the Act shall be obligated or expended after December 31, 1988, if on that date the District of Columbia has not repealed D.C. Law 6-170, the Prohibition of Discrimination in the Provision of Insurance Act of 1986 (D.C. Law 6-170).

Page 17325

(5) Humphrey Amendment No. 2540, to provide that none of the funds under the Act for the Mayor of the District of Columbia shall be expended after January 1, 1989, if on that date, using existing powers, the Department of Human Services has not implemented a system of mandatory reporting of individual abortions performed in the District of Columbia, and categories of data collected under such system shall be substantially similar to those collected by the National Center for Health Statistics, that the Department of Human Services shall not require reporting of the identity of the aborting woman or the abortion provider, and shall ensure that the identity of the aborting woman and abortion provider remain strictly confidential, and data be used for statistical purposes only.

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Pending:

Armstrong Amendment No. 2541, to provide that it shall not be an unlawful discriminatory practice in the District of Columbia for any educational institution that is affiliated with a religious organization or closely associated with the tenets of a religious organization to deny, restrict, abridge, or condition (a) the use of any fund, service, facility, or benefit, or (b) the granting of any endorsement, approval, or recognition, to any person or persons that are organized for, or engaged in, promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief.

Page 17335

By 43 yeas to 40 nays (Vote No. 234), Senate upheld a ruling of the Chair which did not sustain a point of order against the above amendment.

Page 17352

By 42 yeas to 41 nays (Vote No. 235), Senate agreed to a motion to reconsider the above vote. (The point of order and the appeal of the ruling of the Chair were subsequently withdrawn.)

Page 17353

A unanimous-consent agreement was reached providing for further consideration of the bill and the amendment pending thereto on Monday, July 11.

Page 17361

Energy Policy and Conservation Act: Senate concurred in the amendment of the House to S. 2203, to extend the expiration date of title II of the Energy Policy and Conservation Act.

Page 17391

Nominations Confirmed: Senate confirmed the following nominations:

Jill E. Kent, of the District of Columbia, to be an Assistant Secretary of the Treasury.

Paul D. Taylor, of New York, to be Ambassador to the Dominican Republic.

Robert S. Barrett IV, of Virginia, to be Ambassador to the Republic of Djibouti.

Daniel A. O'Donohue, of Virginia, to be Ambassador to the Kingdom of Thailand.

Mary A. Ryan, of Texas, to be Ambassador to the Kingdom of Swaziland.

Jeffrey Davidow, of Virginia, to be Ambassador to the Republic of Zambia.

Richard L. Williams, of the District of Columbia, to be Ambassador to the Mongolian People's Republic.

Philip D. Winn, of Colorado, to be Ambassador to Switzerland.

Sheldon J. Kyrs, of Maryland, to be an Assistant Secretary of State.

Warren Zimmermann, of Virginia, to be Ambassador to the Federal Republic of Yugoslavia.

E. Allan Wendt, of California, for the rank of Ambassador during his tenure of service as Senior Representative for Strategic Technology Policy, Office of the Under Secretary of State for Coordinating Security Assistance Programs.

Stephen R. Hammern, Jr., of Virginia, for the rank of Ambassador during his tenure of service as United States Negotiator for Strategic Nuclear Arms.

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Communications:

Page 17363

Statements on Introduced Bills:

Page 17365

Amendments Submitted:

Page 17369

Additional Cosponsors:

Page 17368

Authority for Committees:

Page 17370

Notices of Hearings:

Page 17370

Additional Statements:

Page 17370

Quorum Calls: One quorum call was taken today—(Total—22)

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Record Votes: Two record votes were taken today. (Total—235)

Page 17352

Recess: Senate convened at 9:30 a.m., and recessed at 4:51 p.m., until 10 a.m., on Monday, July 11, 1988. (For Senate's program, see the remarks of Senator Byrd in today's Record on page 17393.)

Committee Meetings

DEFENSE APPROPRIATIONS, 1989

Committee on Armed Services: Committee met in closed session to discuss H.R. 4781, appropriating funds for fiscal year 1989 for the Department of Defense and possible committee amendments thereto, but made no announcements.

GOVERNMENT CONSULTANTS

Committee on Governmental Affairs: Subcommittee on Federal Services, Post Office, and Civil Service resumed hearings to review whether Federal agencies are improperly hiding consultant costs in their budgets, the costs of consultants, and allegations that the Inspector General is not enforcing current laws regarding consultant contracts, receiving testimony from Senator Levin; Derek Van der Schaaf, Deputy Inspector General, and William H. Reed, Director, Defense Contract Audit Agency, both of the Department of Defense; Richard Stubbing, Duke University, Durham, North Carolina; Lawrence Korb, The Brookings Institution, and James H. Falk, Coffey, McGovern and Noel, both of Washington, DC; and Colonel James Burton, U.S.A.F. (Ret.).

Hearings were recessed subject to call.

House of Representatives

Chamber Action

The House was not in session today. Its next meeting will be held at noon on Monday, July 11.

Committee Meetings

INTEGRITY OF THE DOD ACQUISITION SYSTEM AND ITS IMPACT ON U.S. NATIONAL SECURITY

Committee on Armed Services: Continued hearings on the current integrity of the Department of Defense acquisition system and the impact of the current investigation on the procurement fraud on the U.S. national security. Testimony was heard from the following former officials of the Department of De-

fense: James Wade, Assistant Secretary, Acquisition and Logistics; and Richard DeLauer, Under Secretary, Research and Engineering.

INQUIRY INTO THE CONDUCT OF U.S. DISTRICT COURT JUDGE WALTER L. NIXON, JR.

Committee on the Judiciary: Subcommittee on Civil and Constitutional Rights continued hearings on the inquiry into the conduct of U.S. District Judge Walter L. Nixon, Jr. Testimony was heard from a public witness.

Hearings continue July 12.

Joint Meeting

JUNE EMPLOYMENT/UNEMPLOYMENT

Joint Economic Committee: Committee held hearings to review the employment/unemployment situation for June, receiving testimony from Janet L. Norwood, Commissioner, Bureau of Labor Statistics, Department of Labor.

Hearings were recessed subject to call.

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Monday, July 11, 1988

Senate

Chamber Action

Routine Proceedings, pages 17435-17563

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 2625-2629, S.J. Res. 349, and S. Con. Res. 132.

Page 17537

Measures Reported: Reports were made as follows:

S. 1236, to reauthorize relocation under the Navajo-Hopi Relocation Program, and for other purposes, with an amendment in the nature of a substitute. (S. Rept. No. 100-425)

Measures Passed:

Hearing Aid Compatibility Act: Senate passed H.R. 2213, to require certain telephones to be hearing aid compatible, after striking all after the enacting clause and inserting in lieu thereof the text of S. 314, Senate companion measure, after agreeing to a committee amendment in the nature of a substitute.

Page 17561

S. 314 was subsequently indefinitely postponed.

Page 17563

District of Columbia Appropriations, 1989: By 64 yeas to 29 nays (Vote No. 237), Senate passed H.R. 4776, to appropriate funds for the government of the District of Columbia and other activities charge-

able in whole or in part against the revenues of said District for the fiscal year ending September 30, 1989, after agreeing to an additional amendment proposed thereto, as follows:

Page 17445

By 58 yeas to 33 nays (Vote No. 236), Armstrong Amendment No. 2541, to provide that it shall not be an unlawful discriminatory practice in the District of Columbia for any educational institution that is affiliated with a religious organization or closely associated with the tenets of a religious organization to deny, restrict, abridge, or condition (a) the use of any fund, service, facility or benefit, or (b) the granting of any endowment, approval, or recognition, to any person or persons that are organized for, or engaged in, promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief.

Page 17445

Senate insisted on its amendments, requested a conference with the House thereon, and appointed as conferees Senators Harkin, Lautenberg, Reid, Stennis, Nickles, Grassley, and Hatfield.

Page 17448

S. 2562, companion measure, was indefinitely postponed.

Page 17448

Veterans' Administration Adjudication Procedure and Judicial Review Act: By 86 yeas to 11 nays (Vote No. 239), Senate passed S. 11, to amend title 38, United States Code, to establish certain procedures for the adjudication of claims for benefits under laws administered by the Veterans' Administration, to apply the provisions of section 553 of title 5, United States Code, to rulemaking procedures of the Veterans' Administration, to provide for judicial review of certain final decisions of the Board of Veterans' Appeals, and to provide for the payment of reasonable fees to attorneys for rendering legal representation to individuals claiming benefits under laws administered by the Veterans' Administration, after agreeing to a committee amendment in the nature of a substitute and taking action on amendments proposed thereto, as follows:

Page 17448

Adopted:

Cranston-Simpson Amendment No. 2543, of a technical nature.

Page 17477

Rejected:

Murkowski Amendment No. 2542, in the nature of a substitute. (By 61 yeas to 36 nays (Vote No. 238), Senate tabled the amendment.)

Page 17461

Department of Veterans' Affairs Act of 1988: Senate began consideration of S. 533, to establish the Veterans' Administration as an executive depart-